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Attorneys for Defendant  
APRYL WESTON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAKIAH MILES and APRYL  
WESTON,

Defendants.

Case No. 1:22-cr-00129-NODJ-BAM

**STIPULATION TO VACATE STATUS  
CONFERENCE AND SET FOR CHANGE-  
OF-PLEA HEARING; ORDER**

Date: January 16, 2024

Time: 8:30 a.m.

Judge: Hon. Charles R. Breyer

IT IS HEREBY STIPULATED by and between the parties through their respective counsel, Assistant United States Attorney Joseph Barton, counsel for plaintiff, James Raymond Homola, counsel for Makiah Miles, and Assistant Federal Defender Erin Snider, counsel for Apryl Weston, that the Court may vacate the status conference currently scheduled for December 13, 2023, at 1:00 p.m. and set a change-of-plea hearing for both defendants on January 16, 2024, at 8:30 a.m.

The parties agree and request that the Court make the following findings:

1. By previous order, this matter was set for a status conference on December 13, 2023, at 1:00 p.m.

2. The parties have reached a tentative resolution to resolve the case against both defendants.

3. The parties therefore request that the Court vacate the December 13, 2023 status

conference and set a change-of-plea hearing for both defendants on January 16, 2024, at 8:30 a.m.

4. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the parties agree that the time period of December 13, 2023, to January 16, 2024, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(1)(G) and (h)(7)(B)(iv). Specifically, the parties agree that the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act because the continuance ensures continuity of counsel and the delay results from defense counsels' continued review of discovery and case assessment, defense counsels' need to review the plea agreements with their clients, and the court's consideration of the plea agreement.

**IT IS SO STIPULATED.**

Respectfully submitted,

PHILLIP A. TALBERT  
United States Attorney

Date: December 6, 2023

/s/ Joseph Barton  
JOSEPH BARTON  
Assistant United States Attorney  
Attorney for Plaintiff

Date: December 6, 2023

/s/ James Raymond Homola  
JAMES RAYMOND HOMOLA  
Attorney for Defendant  
MAKIAH MILES

HEATHER E. WILLIAMS  
Federal Defender

Date: December 6, 2023

/s/ Erin Snider  
ERIN SNIDER  
Assistant Federal Defender  
Attorney for Defendant  
APRYL WESTON

**ORDER**

**IT IS SO ORDERED.** The status currently scheduled for December 13, 2023, at 1:00 p.m. is vacated. A change-of-plea hearing for both defendants is hereby set for **January 16, 2024, at 11:00 a.m. before the Honorable Charles R. Breyer**. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of December 13, 2023, to January 26, 2024, inclusive, is excludable pursuant to 18 U.S.C. § 3161(h)(1)(G) and (h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: **December 6, 2023**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE